

SCANNED

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Lonnie L. Tiller  
ID# 00A4366

Write the full name of each plaintiff.

No. **19 cv 810**  
(To be filled out by Clerk's Office)

-against-

Melissa Hill (correction officer)  
Anthony J. Annucci (acting commissioner)

**COMPLAINT**  
(Prisoner)

Do you ~~want~~ a jury trial?  
☒ Yes ☐ No

Write the full name of each defendant. If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section IV.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 1/24/2019

**NOTICE**

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

**I. LEGAL BASIS FOR CLAIM**

State below the federal legal basis for your claim, if known. This form is designed primarily for prisoners challenging the constitutionality of their conditions of confinement; those claims are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

☒ Violation of my federal constitutional rights

☐ Other: \_\_\_\_\_

**II. PLAINTIFF INFORMATION**

Each plaintiff must provide the following information. Attach additional pages if necessary.

Lonnie

First Name

L.

Middle Initial

Tillery

Last Name

State any other names (or different forms of your name) you have ever used, including any name you have used in previously filing a lawsuit.

ID# 00A4366

Prisoner ID # (if you have previously been in another agency's custody, please specify each agency and the ID number (such as your DIN or NYSID) under which you were held)

Five Points CORR. Facility

Current Place of Detention

6600 State ROUTE 96

Institutional Address

BOMULUS

County, City

NY

State

14541

Zip Code

**III. PRISONER STATUS**

Indicate below whether you are a prisoner or other confined person:

☐ Pretrial detainee

☐ Civilly committed detainee

☐ Immigration detainee

☒ Convicted and sentenced prisoner

☐ Other: \_\_\_\_\_

## IV. DEFENDANT INFORMATION

To the best of your ability, provide the following information for each defendant. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are identical to those listed in the caption. Attach additional pages as necessary.

Defendant 1: Melissa Hill NK  
 First Name Last Name Shield #  
Correction Officer  
 Current Job Title (or other identifying information)  
Sing Sing Corr. Facility  
 Current Work Address  
354 Hunter Street Ossining NY 10562  
 County, City State Zip Code

Defendant 2: Anthony Annucci NK  
 First Name Last Name Shield #  
(Acting Commissioner)  
 Current Job Title (or other identifying information)  
The Harriman State Campus - Bldg 2 1220 Washington Ave.  
 Current Work Address  
Albany New York 12226-2050  
 County, City State Zip Code

Defendant 3: \_\_\_\_\_  
 First Name Last Name Shield #  
 \_\_\_\_\_  
 Current Job Title (or other identifying information)  
 \_\_\_\_\_  
 Current Work Address  
 \_\_\_\_\_  
 County, City State Zip Code

Defendant 4: \_\_\_\_\_  
 First Name Last Name Shield #  
 \_\_\_\_\_  
 Current Job Title (or other identifying information)  
 \_\_\_\_\_  
 Current Work Address  
 \_\_\_\_\_  
 County, City State Zip Code

## V. STATEMENT OF CLAIM

Place(s) of occurrence: Sing Sing Correctional Facility

Date(s) of occurrence: June 2017 - Dec. 2017

## FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and how each defendant was personally involved in the alleged wrongful actions. Attach additional pages as necessary.

While incarcerated at Sing Sing Corr. Facility CORR. Officer Melissa Hill was the officer in charge of my assigned work area. She started having casual conversations with me asking how much time I had left in prison do I have family taking care of me etc etc. one day I came into work and she asked me to come with her to clean the officers bathroom while I was cleaning she began talking to me asking how long has it been since we had sex. I stated several years. She then approached me and began grabbing my penis threw my pants. Stating I want you and I always get what I want. She said I can comply with her and she would make sure I went for nothing. She stated if I don't comply she would write a report stating sexual harassment or she would have one of her friends put a weapon in my cell location. She stated I use to have a bed in A-block where you look need I have alot of friends that work your block. She stated CO. Mayes was her on and off again boyfriend and he would do anything she ask him. she would tell him I was inappropriate with her and things would end bad for me. we witnessed inmates get beat-up and weapons placed in there cell location and I was in fear for my safety so I complied. Thruout the following months we engaged in sexual intercourse she made me give her oral sex. she made me drink alcohol. she gave me a phone number and I would call her while she was on R.D.O

On Dec 21<sup>st</sup> 2018 O.S.I. come to my cell location and had me escorted to solitary confinement. on Dec 27<sup>th</sup> 2017, two Sing Sing officer put me on a Facility van and drove me to five points corr. facility. on our drive here I was told CO's stick together and MS. Hill is my friend if you talk to the State Police or OSI. things will happen to you at five points. i've been at five points 13 months. i've dealt with verbal abuse, threats i've had person property stolen by CO's. my mail has been tampered with i've had food packages and money orders sent to me from my family that has been confiscated and a year later i have not received it.

#### INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

I was physical hit by CO's at Sing Sing corr. Facility. I was spit on my personal family photos and property was stolen and never sent to my present facility

#### VI. RELIEF

State briefly what money damages or other relief you want the court to order.

Im seeking \$ 300,000. and im asking to be granted a facility transfer im entitled to per Doris Directive. im asking to be sent to a facility that offers F.R.P. (Family Reunion Program)

## VII. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I understand that if I file three or more cases while I am a prisoner that are dismissed as frivolous, malicious, or for failure to state a claim, I may be denied *in forma pauperis* status in future cases.

I also understand that prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions, 42 U.S.C. § 1997e(a), and that my case may be dismissed if I have not exhausted administrative remedies as required.

I agree to provide the Clerk's Office with any changes to my address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

|   |                |                       |          |
|---|----------------|-----------------------|----------|
| <u>1-14-19</u>                                |                | <u>Lonnie Tillery</u> |          |
| Dated   |                | Plaintiff's Signature |          |
| <u>Lonnie</u>                                 | <u>L</u>       | <u>Tillery</u>        |          |
| First Name                                    | Middle Initial | Last Name             |          |
| <u>6600 State Route 96 Romulus N.Y. 14541</u> |                |                       |          |
| Prison Address                                |                |                       |          |
| <u></u>                                       |                | <u></u>               | <u></u>  |
| County, City                                  |                | State                 | Zip Code |

Date on which I am delivering this complaint to prison authorities for mailing: 1-15-19

FIVE POINTS CORRECTIONAL FACILITY

STATE ROUTE 96, P.O. BOX 119  
ROMULUS, NEW YORK 14541

NAME: Lonnie Tillery

DIN: 0044366

LOC: 10-A2-42-B

Five Points



Correctional Facility

neopost  
01/15/2019

US POSTAGE \$000.68



ZIP 14541

USMWP  
SDNY

Clerk  
United States District Court  
Southern District of New York  
Honorable Charles L. Bryant Jr.  
Federal Building and United States Courthouse  
300 Duane Street  
White Plains, New York 10601

JAN 24 2019

U.S.D.C.  
VVP

"Local Mail"

Postage paid by addressee